

**U.S. Department of the Interior
Bureau of Land Management
Little Snake Field Office
455 Emerson Street
Craig, CO 81625-1129**

**Section 390
Categorical Exclusions for
Oil and Gas Development**

NUMBER: DOI-BLM-CO-N010-2014-0001-CX(390)

CASEFILE/PROJECT NUMBER: COC9713

PROJECT NAME: Shell Creek Wells 44-27 #2 & #4 Final Reclamation

LEGAL DESCRIPTION: SESE, sec. 27, T.12 N., R. 99 W., 6th PM. Moffat County, Colorado

APPLICANT: Samson Resources

LAND USE PLAN (LUP) CONFORMANCE REVIEW: The Proposed Action was reviewed for conformance (43 CFR 1610.5, BLM MS 1601.03) with the following plan:

Name of Plan: Little Snake Record of Decision and Resource Management Plan (RMP)

Date Approved: October 2011

Decision Language: The Proposed Action is in conformance with the LUP because it is specifically provided for in the following LUP goals, objectives, and management decisions: language of decision in RMP that allows this type of implementation action e.g.:

Allow for the availability of the federal oil and gas estate (including coalbed natural gas) for exploration and development. Objectives for achieving these goals include:

- Identify and make available the federal oil and gas estate (including coalbed natural gas) for exploration and development.
- Facilitate reasonable, economical, and environmentally sound exploration and development of oil and gas resources (including coalbed natural gas).

Section/Page: Section 2.13 Energy and Minerals/ page RMP-36

REVIEW OF EXISTING NEPA DOCUMENTS:

Name of Document: None.

DESCRIPTION OF PROPOSED ACTION: Samson Resources has submitted sundry notices requesting approval to reclaim 2 plugged well locations in 2014. The Shell Creek 44-27 Wells #2 and #4 were drilled in 1975 and were plugged in 2013 and 2014. The operator has submitted plans to remove all the surface equipment and to recontour and seed the area of disturbance, approximately 8.5 ac. The access road would be reclaimed back to the intersection with the access road to Shell Creek 23-24 #3 in section 35. Erosion control measures will be installed as needed and the location will be monitored for noxious weeds. The following seed mix will be used:

Seed Mix #	Species	Lbs. PLS/acre	Range Sites
12	Streambank wheatgrass	2	Shale 7-10
	Indian ricegrass	2	
	Squirreltail	1	
	Galleta	1	
	Alkali sacaton	1	
	Scarlet globemallow	0.5	
	Hood's phlox	0.5	
	Nuttall's saltbush	1	
	Shadscale	1	



Figure 1 Area to be reclaimed

CATEGORICAL EXCLUSION REVIEW: The proposed action is categorically excluded from further documentation in accordance with statutory NEPA categorical exclusions (CX), as granted in Section 390 of the Energy Policy Act of 2005, for oil and gas exploration and development. The proposed action qualifies as a categorical exclusion under Section 390, based on the qualifying criteria Number 5 of the categories listed below.

Qualifying Criteria	YES	NO
1. Individual surface disturbances of less than five (5) acres so long as the total surface disturbance on the lease is not greater than 150 acres and site-specific analysis in a document prepared pursuant to NEPA has been previously completed. (a, b, and c below must be yes to have this CX to apply)		
a. Will disturb less than 5 acres, if more than one action is proposed for a lease, each activity is counted separately and each may disturb up to five acres.		
b. The current un-reclaimed surface disturbance readily visible on the entire leasehold is not greater than 150 acres, including the proposed action.		
c. This categorical exclusion includes the requirement of a site-specific NEPA document. A site specific NEPA analysis can be either an exploration and/or development EA/EIS, an EA/EIS for a specific POD, a multi-well EA/EIS or an individual permit approval EA/EIS.		
2. Drilling an oil and gas location or well pad at a site at which drilling has occurred within five (5) years prior to the date of spudding the well and the specific location and/or well pad site for the proposed drilling is adequately analyzed in an existing activity-level or project-level EIS or EA.		
3. Drilling an oil or gas well within a developed field for which an approved land use plan and an existing activity-level or project-specific EIS or EA exists, so long as such plan or document was approved within five (5) years prior to the date of spudding the well.		
a. The proposed APD is within a developed oil or gas field. A developed field is defined as any field in which a confirmation well has been completed.		
b. The developed field in which the proposed drilling will take place is adequately analyzed in an existing activity-level or project-specific EIS or EA (not solely in an approved land use plan and associated EIS).		
c. The existing NEPA document was finalized or supplemented within five years of spudding the well.		

Qualifying Criteria	YES	NO
4. Placement of a pipeline in an approved right-of-way corridor, as long as the corridor was approved within five (5) years prior to the date of placement of the pipeline. (The right-of-way must contain a stipulated deadline that provides for the suspension of the authorization if placement does not begin before the last date that the CX is available, at which time the grant holder would be required to obtain a new right-of-way.)		
a. The placement of a pipeline in an existing corridor of any type		
b. Placement of the pipeline within five years of approval (or amendment) of the most recent date of a decision (NEPA or permit authorization) are the only two applicable factors for review pursuant to this statute and must both be satisfied to use this CX.		
5. Maintenance of a minor activity, other than any construction or major renovation of a building or facility.	X	

INTERDISCIPLINARY REVIEW:

Title	Resource	Date
Archaeologist	Cultural Resources	KR 12/9/2013
Rangeland Mgmt Spec	Sensitive and T&E Plants	AH 12/9/2013
Wildlife Biologist	T&E Animals	DA 12/9/2013

The proposed action was presented to, and reviewed by the Little Snake Field Office interdisciplinary team on 12/04/13.

A list of resource specialists who participated in this review is available upon request from the Little Snake Field Office.

REMARKS:

CULTURAL RESOURCES & NATIVE AMERICAN RELIGIOUS CONCERNS:

The BLM's approval of well pad reclamation activities is considered an undertaking subject to compliance with Section 106 of the National Historic Preservation Act (NHPA). The BLM has the legal responsibility to consider the effects of its actions on cultural resources located as a result of its actions. BLM Manual 8100 Series; the Colorado State Protocol; and BLM Colorado Handbook of Guidelines and Procedures for Identification, Evaluation, and Mitigation of Cultural Resources provide guidance on Section 106 compliance requirements to meet appropriate cultural resource standards. In Colorado, the BLM's NHPA obligations are carried out under a Programmatic Agreement (PA) between BLM, the Advisory Council on Historic Preservation, and the State Historic Preservation Officer (SHPO). Should an undertaking be determined to have "no effect" or "no adverse effect" by the BLM Little Snake Field Office (BLM-LSFO) archaeologist, the undertaking may proceed under the terms and conditions of the

PA. If the undertaking is determined to have “adverse effects,” project-specific consultation is then initiated with the SHPO.

Four Native American tribes have cultural and historical ties to lands have administered by the BLM-LSFO. These tribes include the Eastern Shoshone, Ute Mountain Ute, Uinta and Ouray Ute (Northern Ute), and the Southern Ute Indian Tribes. Consultation for the type of proposed undertaking is consulted on annually with the tribes. Letters were sent to the tribes in the spring of 2013 describing general oil and gas projects within the BLM-LSFO management area. No comments were received.

There are no known cultural items, sites, or landscapes determined to be culturally significant to consulting tribes within or adjacent to the APE. The proposed action does not prevent access to any known sacred sites, prevent the possession of sacred objects, or interfere or otherwise hinder the performance of traditional ceremonies and rituals. If new information is provided by the tribes, additional or edited terms and conditions for mitigation may be required to protect resource values.

The proposed reclamation area was subject to cultural resources assessment as reported in the following:

Erickson, Jan

2013 *Class III Cultural Resource Inventory for the Samson Resources Shell Creek 44-27 2 and 44-27 4 Well Pad and Access Road, Moffat County, Colorado*. BLM-LSFO #12.40.2013. OAHF #MF.LM.R1028. Western Archaeological Services, Inc., Rock Springs, Wyoming.

Three cultural resource locations were identified as a result of the study—two “needs data” prehistoric archaeological sites and an isolated occurrence (i.e., a single artifact). Because none of the identified cultural resources are located within the current Area of Potential Effect (APE) the BLM consulted with the SHPO under a project effect determination of “*no historic properties affected*.” SHPO subsequently concurred with BLM’s determinations (Wilshusen [*for Nichols*; OAHF] to Reynolds [BLM-LSFO], dated November 15, 2013—CHS #64971). Thus, reclamation activities may proceed with no further work required. If, however, the APE for ground-disturbing activities requires expansion beyond the currently defined and approved area, additional review and cultural resources considerations would be required. The Standard Discovery Stipulations apply for any and all work performed under the terms and conditions of BLM’s authorization to proceed.

NAME OF PREPARER: /s/ Shawn Wiser

NAME OF ENVIRONMENTAL COORDINATOR:

DECISION AND RATIONALE: I have reviewed this CX and have decided to approve the proposed action.

This action is listed in the Instruction Memorandum Number 2005-247 and Instruction Memorandum Number 2010-118 as an action that may be categorically excluded under Section 390 of the Energy Policy Act of 2005. I have evaluated the action relative to the 5 qualifying criteria listed above and have determined that it does not represent an exception and is, therefore, categorically excluded from further environmental analysis.

SIGNATURE OF AUTHORIZED OFFICIAL: /s/ Timothy Wilson, for
Wendy Reynolds, Field Manager

DATE SIGNED: 12/11/13

Administrative Review or Appeal Opportunities

This decision is effective upon the date the decision or approval by the authorized officer. Under regulations addressed in 43 CFR Subpart 3165, any party adversely affected has the right to appeal this decision. An informal review of the technical or procedural aspects of the decision may be requested of this office before initiating a formal review request. You have the right to request a State Director review of this decision. You must request a State Director review prior to filing an appeal to the Interior Board of Land Appeals (IBLA) (43CFR 3165.4).

If you elect to request a State Director Review, the request must be received by the BLM Colorado State Office, 2850 Youngfield Street, Lakewood, Colorado 80215, no later than 20 business days after the date the decision was received or considered to have been received. The request must include all supporting documentation unless a request is made for an extension of the filing of supporting documentation. For good cause, such extensions may be granted. You also have the right to appeal the decision issued by the State Director to the IBLA.

Contact Person

For additional information concerning this decision, contact Shawn Wiser, Natural Resource Specialist, Little Snake Field Office, 455 Emerson Street, Craig, CO 81625, Phone (970) 826-5086.